



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

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Second District

ZEV YAROSLAVSKY
Third District

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Fifth District

September 20, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**CONVEYANCE OF EASEMENT TO LOS ANGELES FLOOD CONTROL DISTRICT
LOMA ALTA PARK, ALTADENA
(FIFTH DISTRICT) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that conveyance of the proposed easement is categorically exempt from the California Environmental Quality Act (CEQA).
2. Further find that the conveyance is in the public interest and that the interest in land conveyed will not substantially conflict or interfere with the use of the property by the County.
3. Approve and instruct the Chair to sign the attached Easement Deed for entry, operation, maintenance and repair of that particular section of a storm drain system, which traverses a portion of the County's Loma Alta Park, located in the unincorporated area of Altadena.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to convey an easement over a portion of Loma Alta Park, Altadena, to the Los Angeles County Flood Control District (LACFCD), for operation and maintenance of a developer constructed and dedicated storm drain unit.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide the public with quality services that are both beneficial and responsive (Goal 1). The conveyance of an easement for maintenance of flood control facilities for County constituents is consistent with that Goal.

FISCAL IMPACT/FINANCING

No negative fiscal impact. Maintenance of the storm drain system will be funded with LACFCD funds. There will be no increase to the net County cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In 1998, the County acquired title to a park site as a condition of approval for a master-planned residential subdivision known as La Vina (Tract 45546). As part of the park site dedication, easements were to be reserved for a storm drain system, but, inadvertently the subject easement was not included when title to the park site property was transferred to the County. The park site property was later developed and became to be known as Loma Alta Park.

As required, the developer has constructed a private drain unit (PD 2339) that provides flood protection for Tract 45546 and will be connected to the public drainage system operated and maintained by the LACFCD. Construction of PD 2339 is now completed, having been approved by the Department of Public Works for acceptance and transfer to the LACFCD. However, LACFCD policy does not allow for transfer of PD 2339 until the subject easement necessary for operational and maintenance purposes has been secured.

The LACFCD has requested the subject easement in order to have access to that portion of PD 2339 which traverses Loma Alta Park. The area of Loma Alta Park to be affected by the easement is located within a section of the Park used as a parking lot and is not expected to conflict or interfere with this current or any future County use.

Conveyance of the subject easement is authorized by Section 25526.6 of the California Government Code upon a finding that the conveyance is in the public interest and does not substantially conflict or interfere with the County's use of the property. The public interest will be served by the operation and maintenance of this storm drain system.

County Counsel has reviewed the attached Easement Deed and approved it as to form.

The Department of Parks and Recreation has reviewed and concurs with the recommended action.

ENVIRONMENTAL DOCUMENTATION

The conveyance of the proposed easement is categorically exempt under Section 15301 of the State CEQA guidelines and Class 1 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

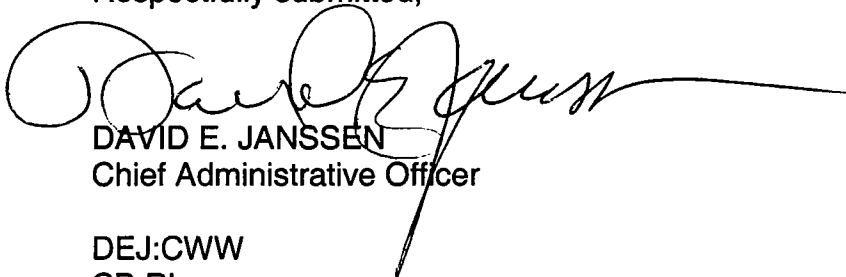
IMPACT ON CURRENT SERVICES (OR PROJECTS)

The proposed actions will have no impact on current County services or any other planned or approved project.

CONCLUSION

It is requested that the Executive Officer, Board of Supervisors, return an executed Easement Deed, submitted in duplicate original, two certified copies of the Minute Order, and the adopted, stamped Board letter to the CAO Real Estate Division at 222 South Hill Street, 3rd Floor, Los Angeles, CA 90012 for further processing.

Respectfully submitted,



DAVID E. JANSSEN
Chief Administrative Officer

DEJ:CWW
CB:RL:cc

Attachment

c: County Counsel
Department of Park and Recreation

ORIGINAL

**RECORDING REQUESTED BY
AND MAIL TO:**

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
P.O. Box 1460
Alhambra, CA 91802-1460
Attention: Mapping & Property
Management Division
R/W Engineering Section**

**THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY TRANSFER
TAX PURSUANT TO SECTION 11922 OF THE REVENUE &
TAXATION CODE**

**THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT
TO SECTION 27383 OF THE GOVERNMENT CODE**

Space Above This Line Reserved for Recorder's Use

**Assessor's Identification Numbers:
5830-013-909, 922, 923, and 924 (Portions)**

E A S E M E N T

For a valuable consideration, receipt of which is hereby acknowledged, the COUNTY OF LOS ANGELES, a body corporate and politic, (hereinafter referred to as COUNTY), does hereby grant to the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, (hereinafter referred to as DISTRICT), a perpetual easement for flood control purposes in, on, over, and across the real property in the unincorporated territory of the County of Los Angeles, State of California, described as Parcel 3FE in Exhibit A attached hereto and by this reference made a part hereof.

Together with perpetual easements for covered storm drains and appurtenant structures and ingress and egress purposes in, on, over, under, and across the real property in the unincorporated territory of the County of Los Angeles, State of California, described as Parcels 4DA and 5DA in said Exhibit A.

Together with perpetual easements for ingress and egress purposes in, on, over, and across the real property in the unincorporated territory of the County of Los Angeles, State of California, described as Parcels 11E and 21E in said Exhibit A.

Together with the further right to enter upon, pass, and repass over and along said easements and rights of way and to deposit tools, implements, and other materials thereon by said DISTRICT, its officers, agents, and employees and by persons under contract with it and their employees, whenever and wherever necessary for the purposes herein set forth.

As to Parcel 3FE, the easement for flood control purposes granted herein, shall include the right to construct, reconstruct, inspect, maintain, and repair a channel, either open or covered, protection works, and appurtenant structures for flood control purposes; the right to take and use therefrom earth, rock, sand, and gravel for the purpose of excavating, widening, deepening, and otherwise rectifying the channel; the right to construct, operate, maintain, and repair embankments, protection works, side drainage facilities, and structures appurtenant to the foregoing; and the right to make such other uses of the herein-described real property to carry out flood control purposes.

Subject to all matters of record and to the following reservation and conditions that DISTRICT by the acceptance of this Easement document agrees to keep and perform, viz:

1. Covenants, conditions, restrictions, reservations, easements, rights and rights-of-way of record, if any.
2. COUNTY reserves the paramount right to use said land for any and all purposes consistent with the enjoyment of the easements herein granted.
3. DISTRICT agrees that it will indemnify and save harmless COUNTY, its officers, agents and/or employees from any and all liability, loss or damage to which COUNTY, its officers, agents and/or employees may be subjected as the result of any act or omission by DISTRICT, its agents and employees, arising out of the exercise by DISTRICT, or its officers, agents or employees, of any of the rights granted to it by this instrument.
4. DISTRICT agrees that it will not perform or arrange for the performance of any construction or reconstruction work in, on, over, under, and across the land herein-described until the plans and specifications for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Director of the Department of Public Works of the County of Los Angeles. Such approval by COUNTY shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. COUNTY does not accept ownership or responsibility for the improvements resulting from DISTRICT's construction or reconstruction work.
5. It is expressly understood that COUNTY will not be called upon to construct, repair, maintain or reconstruct any structure or improvement to be erected or constructed pursuant to this Easement document.
6. The provisions and conditions contained in this Easement document shall be binding upon DISTRICT, its successors and assigns.

**TRANSFER DRAINS
PRIVATE DRAIN NO. 2339 1DA
Easement Page 3**

Dated _____

**COUNTY OF LOS ANGELES,
a body corporate and politic**

By _____
Chair, Board of Supervisors

(COUNTY-SEAL)

ATTEST:

**VIOLET VARONA-LUKENS, Executive Officer
Board of Supervisors, County of Los Angeles**

By _____
Deputy

File with: TRANSFER DRAINS PRIVATE DRAIN NO. 2339 1IE Includes Parcels 2IE, 3FE, 4DA and 5DA I.M. 174-237 S.D. 5 LDOCPREP
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OG:jb/P:Conf/eOG36

Note: Acknowledgment form on reverse side.

EXHIBIT A

File with: TRANSFER DRAINS
PRIVATE DRAIN NO. 2339 1IE
INCLUDES 2IE, 3FE, 4DA & 5DA
APN: 5830-013-909, 922, 923, 924
I.M. 174-237
Fifth District
T.G. 535 (G-3 & 4)

DESCRIPTION

PARCEL NO. 1IE (Easement for ingress and egress purposes):

That portion of Lot 2 of Fractional Section 5, Township 1 North, Range 12 West, S.B.M., and those portions of Lot 19 of Tract No. 45546-01, as shown on map filed in Book 1221, pages 7 to 13 inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, within a strip of land 10 feet wide, the center line of said strip being described as follows:

Commencing at the southeasterly corner of Lot 18 of said tract; thence along the westerly line of said Lot 19 South $00^{\circ}55'29''$ East 45.75 feet to the TRUE POINT OF BEGINNING, said true point of beginning hereby designated as point "A" for the purpose of this description, said point also being the beginning of a non-tangent curve concave to the south and having a radius of 50.00 feet, a radial of said curve to said true point of beginning bears North $08^{\circ}52'56''$ West; thence westerly along said curve through a central angle of $30^{\circ}29'14''$, an arc length of 26.61 feet to the beginning of a compound curve concave to the southeast and having a radius of 80.00 feet; thence southwesterly along said last mentioned curve through a central angle of $4^{\circ}39'52''$, an arc length of 6.51 feet; thence tangent to said last mentioned curve South $45^{\circ}57'58''$ West 25.20 feet to the beginning of a tangent curve concave to the northwest and having a radius of 55.00 feet, thence southwesterly along said last mentioned curve through a central angle of $15^{\circ}56'33''$, an arc length of 15.30 feet; thence tangent to said last mentioned curve South $61^{\circ}54'31''$ West 17.51 feet to the beginning of a tangent curve concave to the northwest and having a radius of 18.00 feet, thence southwesterly along said last mentioned curve through a central angle of $28^{\circ}25'30''$, an arc length of 8.93 feet to the beginning of a reverse curve concave to the southeast and having a radius of 35.00 feet; thence westerly and southwesterly along said reverse curve through a central angle of $40^{\circ}25'34''$, an arc length of 24.69 feet; thence tangent to said last mentioned curve

South 49°48'05" West 10.48 feet to a point hereby designated as point "B" for the purpose of this description.

The side lines of the above described 10-foot wide strip of land shall be prolonged or shortened at the beginning thereof so as to terminate in that certain course having a bearing and length of N 00°55'29" W 87.70 feet in said westerly boundary of Lot 19.

PARCEL NO. 2IE (Easement for ingress and egress purposes):

That portion of the above mentioned Lot 19, within a strip of land 10 feet wide, the center line of said strip being described as follows:

Beginning at the above mentioned point "A", being the beginning of a non-tangent curve concave to the south and having a radius of 50.00 feet, a radial of said last mentioned curve to said last mentioned beginning point bears North 08°52'56 West, thence along said last mentioned curve through a central angle of 33°11'28", an arc length of 28.96 feet to the southwesterly line of that certain parcel of land designated as "EASEMENT TO LOS ANGELES COUNTY FLOOD CONTROL DISTRICT FOR COVERED STORM DRAIN, APPURTENANT STRUCTURES AND INGRESS AND EGRESS PURPOSES." as shown on the above mentioned map.

The side lines of the above described 10-foot wide strip of land shall be prolonged or shortened at the beginning thereof so as to terminate in the above mentioned certain course having a bearing and length of N 00°55'29" W 87.70 feet and at the ending thereof so as to terminate in said southwesterly line of said easement.

PARCEL NO. 3FE (Easement for flood control purposes):

That portion of above mentioned Lot 19, within the following described boundaries:

Beginning at the above mentioned point "B"; thence South 40°11'55" East 5.00 feet; thence South 21°39'21" West 14.51 feet to a point hereby designated as point "C" for the purpose of this description; thence continuing South 21°39'21" West 7.51 feet; thence South 43°02'29" West 19.54 feet; thence North 41°48'25" West 52.11 feet; thence North 05°21'49" West 8.99 feet to a point on that certain course having a bearing and length of N 84°38'11" E 184.04 feet in the generally westerly boundary of said Lot 19; thence along said certain course North 84°38'11" East 49.86 feet; thence South 05°21'49" East 10.11 feet; thence South 40°11'55" East 5.00 feet to the point of beginning.

PARCEL NO. 4DA (Easement for covered storm drain and appurtenant structures and ingress and egress purposes):

That portion of the above mentioned Lot 19, within a strip of land 10 feet wide, the center line of said strip being described as follows:

Beginning at the above mentioned point "C"; thence South 70°40'00" East 22.69 feet to the beginning of a tangent curve concave to the southwest and having a radius of 90.00 feet; thence southeasterly along said last mentioned curve through a central angle of 15°00'00" an arc length of 23.56 feet; thence tangent to said last mentioned curve South 55°40'00" East 29.00 feet to the beginning of a tangent curve concave to the southwest and having a radius of 45.00 feet; thence southeasterly along said last mentioned curve through a central angle of 23°38'07" an arc length of 18.56 feet to the northwesterly side line of Sunset Ridge Road, 64 feet wide, as shown on the above mentioned map.

The side lines of the above described 10-foot wide strip of land shall be prolonged or shortened at the ending thereof so as to terminate in said northwesterly side line of Sunset Ridge Road.

PARCEL NO. 5DA (Easement for covered storm drain and appurtenant structures and ingress and egress purposes):

That portion of the above mentioned Lot 2, , within the following described boundaries:

Beginning at the above mentioned southeasterly corner of Lot 18; thence along the westerly line of said Lot 19 South 00°55'29" East 19.84 feet to a point on a non tangent curve concave to the north east and having a radius of 1510.00 feet, a radial of said last mentioned curve to said last mentioned point bears South 49°13'38" West; thence northwesterly along said curve through a central angle of 1°02'09" an arc length of 27.30 feet to the southerly line of said Lot 18; thence along said southerly line South 86°42'13" East 17.35 feet to the point of beginning.

MT:mt\pd2339-1IE

EXHIBIT A